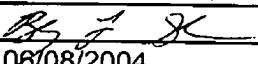


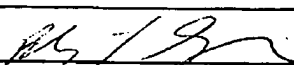
PTO/SB/21 (02-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/683,761	
	Filing Date	02/11/2002	
	First Named Inventor	Robert J. Smith	
	Art Unit	3727	
	Examiner Name	Ngo, Lien M	
Total Number of Pages in This Submission	49	Attorney Docket Number	Erie - 020243

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences in triplicate <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="text-align: center;">Auto-Reply Facsimile Receipt</div>
Remarks As instructed during my interview with Examiner Lien M Ngo on 6/8/2004, I am resubmitting the Appeal Brief originally faxed to the USPTO on 3/5/2004. Examiner Ngo has no record of our submission. I am resubmitting the Appeal Brief in triplicate together with the Auto Reply Facsimile Transmission as evidence of receipt by the USPTO. Further, please note that the fees for this appeal were withdrawn from our deposit account, number 502800, on 3/18/2004.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	BLK Law Group, Cust. No. 36,787 Blynn L. Shideler, Reg. No. 35,034	
Signature		
Date	06/08/2004	

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Signature		Date 06/08/2004

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Mar 05 04 02:55p Blynn Shideler 724-934-5461 p.1															
<p>PTC00271 000-000 Approved for use through 03/31/2004, OAS 000-1-0001 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE Under the Electronic Return Receipt Act (ERRA), an applicant or owner of a patent, trademark, or design may request a return receipt for a facsimile transmission of a document filed with the Office.</p> <p>TRANSMITTAL FORM (to be filled out by sender of facsimile transmission)</p> <table border="1"><tr><td>Application Number</td><td>US000,000</td></tr><tr><td>Filing Date</td><td>Mar 05/2004</td></tr><tr><td>Firm, Name of Inventor</td><td>Owner, A. Smith</td></tr><tr><td>Art Unit</td><td>2131</td></tr><tr><td>Examiner's Name</td><td>W.C. Smith</td></tr><tr><td>Attorney's Name</td><td>W.C. Smith</td></tr><tr><td>Attorney's Address</td><td>Rule 1.02(b)(3)</td></tr></table> <p>Total Number of Pages in the Submission: 47</p>		Application Number	US000,000	Filing Date	Mar 05/2004	Firm, Name of Inventor	Owner, A. Smith	Art Unit	2131	Examiner's Name	W.C. Smith	Attorney's Name	W.C. Smith	Attorney's Address	Rule 1.02(b)(3)
Application Number	US000,000														
Filing Date	Mar 05/2004														
Firm, Name of Inventor	Owner, A. Smith														
Art Unit	2131														
Examiner's Name	W.C. Smith														
Attorney's Name	W.C. Smith														
Attorney's Address	Rule 1.02(b)(3)														
<p>ENCLOSURES (Check all that apply)</p> <table border="1"><tr><td><input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Acknowledgment <input type="checkbox"/> New Filing <input type="checkbox"/> Acknowledgment(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Acknowledgment Request <input type="checkbox"/> Informational Checksum Submittal <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Part/ Incomplete Submission <input type="checkbox"/> Machine-readable Form under 37 CFR 1.82 or 1.83</td><td><input type="checkbox"/> Drawings <input type="checkbox"/> Unpublished Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Deferral <input type="checkbox"/> CO, Number of CPO <input type="checkbox"/> Remarks</td><td><input type="checkbox"/> Other Information Communication to Technology Center (TC) <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Trademark Trial and Appeal Board (TTAB) <input type="checkbox"/> Appeal Communication to TC Appeal Motion, Brief, Reply Brief <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosed (if other indicate below)</td></tr></table>		<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Acknowledgment <input type="checkbox"/> New Filing <input type="checkbox"/> Acknowledgment(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Acknowledgment Request <input type="checkbox"/> Informational Checksum Submittal <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Part/ Incomplete Submission <input type="checkbox"/> Machine-readable Form under 37 CFR 1.82 or 1.83	<input type="checkbox"/> Drawings <input type="checkbox"/> Unpublished Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Deferral <input type="checkbox"/> CO, Number of CPO <input type="checkbox"/> Remarks	<input type="checkbox"/> Other Information Communication to Technology Center (TC) <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Trademark Trial and Appeal Board (TTAB) <input type="checkbox"/> Appeal Communication to TC Appeal Motion, Brief, Reply Brief <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosed (if other indicate below)											
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<p>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</p> <table border="1"><tr><td>Firm</td><td>SEA Law Group, Inc. (att. No. 26,787)</td></tr><tr><td>Individual name</td><td>Blynn L. Shideler, Reg. No. 35,024</td></tr><tr><td>Signature</td><td><i>[Signature]</i></td></tr><tr><td>Date</td><td>3/5/2004</td></tr></table>		Firm	SEA Law Group, Inc. (att. No. 26,787)	Individual name	Blynn L. Shideler, Reg. No. 35,024	Signature	<i>[Signature]</i>	Date	3/5/2004						
Firm	SEA Law Group, Inc. (att. No. 26,787)														
Individual name	Blynn L. Shideler, Reg. No. 35,024														
Signature	<i>[Signature]</i>														
Date	3/5/2004														
<p>CERTIFICATE OF TRANSMISSION/MAILING</p> <p>I hereby certify that this communication is being furnished in accordance with the USPTO as required by the United States Patent Service with sufficient postage and that this communication is being furnished to the USPTO as required by the United States Patent Service.</p> <table border="1"><tr><td>Name of addressee</td><td>Blynn L. Shideler, Reg. No. 35,024</td></tr><tr><td>Signature</td><td><i>[Signature]</i></td></tr><tr><td>Date</td><td>03/05/2004</td></tr></table> <p><small>This certificate is required by 37 CFR 1.8. The information required to be filled out in this form, by the sender, is to be used by the USPTO to determine if the communication is being furnished in accordance with the USPTO as required by the United States Patent Service. The information required to be filled out in this form, by the addressee, is to be used by the USPTO to determine if the communication is being furnished in accordance with the USPTO as required by the United States Patent Service. The information required to be filled out in this form, by the addressee, is to be used by the USPTO to determine if the communication is being furnished in accordance with the USPTO as required by the United States Patent Service.</small></p> <p><small>If you need assistance in completing this form, call 1-800-PTO-0199 and select option 2.</small></p>		Name of addressee	Blynn L. Shideler, Reg. No. 35,024	Signature	<i>[Signature]</i>	Date	03/05/2004								
Name of addressee	Blynn L. Shideler, Reg. No. 35,024														
Signature	<i>[Signature]</i>														
Date	03/05/2004														

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/683,761	
	Filing Date	02/11/2002	
	First Named Inventor	Robert J. Smith	
	Art Unit	3727	
	Examiner Name	NGO, LIEN M	
Total Number of Pages in This Submission	47	Attorney Docket Number	Erie - 020243

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences (in Triplicate)
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	BLK Law Group, Cust. No. 36,787	
Signature	Blynn L. Shideler, Reg. No. 35,034	
Date	03/05/2004	

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**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 165.00)

Complete if Known

Application Number	09/683,761
Filing Date	02-11-2002
First Named Inventor	Robert Smith
Examiner Name	NGO, LIEN M
Art Unit	3727
Attorney Docket No.	ERIE-020243

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number	502800
Deposit Account Name	BLK Law Group

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	165.
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 165.

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Blynn L. Shideler	Registration No. (Attorney/Agent)	35,034	Telephone	724-934-5450
Signature		Date	03/05/2004		

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